

## REMARKS

### Election/Restrictions

Claims 6-10 and 13 stand withdrawn from consideration since the Examiner asserts that there is no allowable generic claim. Applicants respectfully disagree, and submit that generic claim 11 is patentable over the prior art, as show below. Applicants therefore respectfully request claims 6-10 and 13 to be reinstated.

### Amendments to the claims

The language of claims 12 and 13 has been amended for clarification purposes. The new language of claims 12 and 13 is supported by the specification, in particular Figs. 4 and 9 and the corresponding portions of the specification. No new matter has been added.

### Rejection under 35 U.S.C. 112

Claim 12 stands rejected under 35 U.S.C. 112 as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicants regard as the invention. Claim 12 has been amended. Accordingly, Applicants respectfully request that the Examiner withdraws the rejection of claim 12.

### Rejection under 35 U.S.C. 102

Claims 1-3 and 11 stand rejected under 35 U.S.C. 102(b) as being anticipated either by U.S. Patent No. 592,213 to Smith or by U.S. Patent No. 6,253,646 to Chang. Applicants respectfully disagree.

### Claim 1

Smith discloses an apparatus provided (see column 1, lines 32-33 and Fig. 1) for holding a drilling tool B, which cannot be compared to a fastening member. Smith does

not suggest replacing the drilling tool by a fastening member, and consequently fails to disclose or suggest at least *"A wrench for tightening or loosening a fastening member with respect to another member, comprising: a wrench body having a ring portion which has an inner diameter suitable for disengagable engagement with an outer circumference of the fastening member", as recited in claim 1. Further, for the reason above, Smith also fails to teach or suggest "wedge guide grooves formed on the inner circumferential surface of the ring portion to be arranged along the circumferential direction of the ring portion at intervals corresponding to those of the wedge members, each of the wedge guide grooves having a free region which extends in the circumferential direction of the ring portion and maintains the corresponding wedge member in a free state in which the wedge member moves freely between a bottom surface of the corresponding wedge guide groove and the outer circumferential surface of the fastening member, and a wedge region which extends in the circumferential direction of the ring portion and maintains the corresponding wedge member in a caught state in which the wedge member is caught between the bottom surface of the corresponding wedge guide groove and the outer circumferential surface of the fastening member", as recited in claim 1."* Applicants therefore submit that claim 1 is new over Smith.

Chang discloses (column 3, lines 22-25, emphasis added) *"a plurality of locking members each secured in a respective one of the fixed portions of the follower to move therewith, and each pressing the driving body", wherein (column 3, line 66 to column 4, line 1) "the driving body 20 is fitted on a workpiece (not shown) such as a hexagonal nut, bolt or the like". The locking (or wedge) members 50 of Chang are permanently pressed against a driving body 20, which itself receives a fastening member such as a nut or bolt. It is submitted that Chang does not disclose or suggest that the fastening member may come in contact with the wedge members 50. Therefore, Chang fails to disclose or suggest at least a wrench wherein the wedge members come in contact with a surface of the fastening member, and in particular comprising *"wedge guide grooves formed on the inner circumferential surface of the ring portion to be arranged along the circumferential direction of the ring portion at intervals corresponding to those of the wedge members, each of the wedge guide grooves having a free region which extends in the circumferential direction of the ring portion and maintains the corresponding wedge member in a free state in which the wedge member moves freely between a bottom surface of the**

*corresponding wedge guide groove and the outer circumferential surface of the fastening member, and a wedge region which extends in the circumferential direction of the ring portion and maintains the corresponding wedge member in a caught state in which the wedge member is caught between the bottom surface of the corresponding wedge guide groove and the outer circumferential surface of the fastening member", as recited in claim 1. Applicants therefore submit that claim 1 is new over Smith. Should the Examiner disagree, Applicants respectfully request the Examiner to clearly and specifically point out where Smith or Chang disclose the above features, in accordance with 37 C.F.R. 1.104(c)(2).*

#### Claim 11

The arguments above with regard to claim 1 can be used to show that Smith and Chang each fail to disclose or suggest at least *"wedge guide grooves to be arranged along a circumferential direction at intervals corresponding to those of the wedge members, each of the wedge guide grooves having a free region which extends in the circumferential direction and maintains the corresponding wedge member in a free state in which the wedge member moves freely between a bottom surface of the corresponding wedge guide groove and circumferential surface of the fastening member, and a wedge region which extends in the circumferential direction and maintains the corresponding wedge member in a caught state in which the wedge member is caught between the bottom surface of the corresponding wedge guide groove and the circumferential surface of the fastening member" as recited in claim 1. Applicants therefore submit that claim 11 is novel over Smith or Chang.*

#### Claims 2-3

Applicants submit that claims 2 and 3 are new in over Smith or Chang at least in view of their dependency on claim 1.

#### Claims 6-10 and 13

Applicants submit that the Examiner has failed to show that any of claims 6-10 or 13 is anticipated by either Smith or Chang, and submit that claims 6-10 and 13 are novel over Smith or Chang. Further, Applicants submit that claims 6-10 and 13 should be reinstated by virtue of the patentability of generic claim 11.

Rejection under 35 U.S.C. 103

Claims 1-5 and 11 stand rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Pat. No. 1,412,688 to Layton in view of Chang. Applicants respectfully disagree.

Claim 1

Applicants note that Layton discloses (column 2, lines 97-100) a tool holder device for holding a socket wrench having a shank, wherein (emphasis added) "by rotating the device [...] the friction gripping rollers will be moved toward the shallow ends of the sockets and will bind on the shank of the socket wrench as is obvious". The rollers (or wedge members) 4 of Layton are pressed against a shank (in dotted lines in Fig. 1), which itself receives a fastening member such as a nut or bolt. Layton does nowhere disclose or suggest that a fastening member may come in contact with the wedge members 4. Therefore, Layton fails to disclose or suggest at least a wrench wherein the wedge members come in contact with a surface of the fastening member, and in particular comprising *"wedge guide grooves formed on the inner circumferential surface of the ring portion to be arranged along the circumferential direction of the ring portion at intervals corresponding to those of the wedge members, each of the wedge guide grooves having a free region which extends in the circumferential direction of the ring portion and maintains the corresponding wedge member in a free state in which the wedge member moves freely between a bottom surface of the corresponding wedge guide groove and the outer circumferential surface of the fastening member, and a wedge region which extends in the circumferential direction of the ring portion and maintains the corresponding wedge member in a caught state in which the wedge member is caught between the bottom surface of the corresponding wedge guide groove and the outer circumferential surface of the fastening member"*, as recited in claim 1.

Applicants have already shown above that Chang fails to disclose or suggest the above feature. Consequently, Applicants submit that no combination of Layton and Chang would have disclosed or suggested a wrench as recited in claim 1, and in particular comprising *"wedge guide grooves formed on the inner circumferential surface of the ring portion to be arranged along the circumferential direction of the ring portion at intervals*

*corresponding to those of the wedge members, each of the wedge guide grooves having a free region which extends in the circumferential direction of the ring portion and maintains the corresponding wedge member in a free state in which the wedge member moves freely between a bottom surface of the corresponding wedge guide groove and the outer circumferential surface of the fastening member, and a wedge region which extends in the circumferential direction of the ring portion and maintains the corresponding wedge member in a caught state in which the wedge member is caught between the bottom surface of the corresponding wedge guide groove and the outer circumferential surface of the fastening member".* Applicants therefore submit that claim 1 is patentable over Layton in view of Chang.

#### Claim 11

The arguments above with regard to claim 1 can also be used to show that Layton and Chang each fail to disclose or suggest at least "*wedge guide grooves to be arranged along a circumferential direction at intervals corresponding to those of the wedge members, each of the wedge guide grooves having a free region which extends in the circumferential direction and maintains the corresponding wedge member in a free state in which the wedge member moves freely between a bottom surface of the corresponding wedge guide groove and circumferential surface of the fastening member, and a wedge region which extends in the circumferential direction and maintains the corresponding wedge member in a caught state in which the wedge member is caught between the bottom surface of the corresponding wedge guide groove and the circumferential surface of the fastening member"* as recited in claim 1. Applicants therefore submit that claim 11 is patentable over Layton in view of Chang.

#### Claims 2-5 and 12

Applicants submit that claims 2 to 5 and 12 are patentable over Smith or Chang at least in view of their direct or indirect dependency on claim 1 or on claim 11.

#### Claims 6-10 and 13

Applicants submit that the Examiner has failed to show that either of claims 6-10 or 13 is unpatentable over Layton in view of Chang, and submit that claims 6-10 and 13



are patentable over Layton in view of Chang. Further, Applicants submit that claims 6-10 and 13 should be reinstated by virtue of the patentability of generic claim 11.

\* \* \*

In view of the above, Applicants submit that the application is now in condition for allowance and respectfully urge the Examiner to pass this case to issue.

The Commissioner is authorized to charge any additional fees that may be required or credit overpayment to deposit account no. 12-0415. In particular, if this response is not timely filed, the Commissioner is authorized to treat this response as including a petition to extend the time period pursuant to 37 CFR 1.136(a) requesting an extension of time of the number of months necessary to make this response timely filed and the petition fee due in connection therewith may be charged to deposit account no. 12-0415.

I hereby certify that this correspondence is being deposited with the United States Post Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop Non-Fee Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on

March 16, 2005  
(Date of Transmission)

Susan Papp  
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03/16/05  
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Respectfully submitted,



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